

BRENT NIX, *et al.* ) Case No.: 7:17-CV-00189-D  
)  
Plaintiffs, )  
)  
v. )  
)  
THE CHEMOURS COMPANY FC, LLC, *et* )  
*al.*, )  
)  
Defendants. )  
)  
)

CAPE FEAR PUBLIC UTILITY	)	Case No.: 7:17-CV-00195-D
AUTHORITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
THE CHEMOURS COMPANY FC, LLC, <i>et</i>	)	
<i>al.</i> ,	)	
	)	
Defendants.	)	
	)	

ROGER MORTON, *et al.*, ) Case No.: 7:17-CV-00197-D  
)  
Plaintiffs, )  
)  
v. )  
)  
THE CHEMOURS COMPANY, *et al.*, )  
)  
Defendants. )  
)

[illegible]

)
)
)
)
)
)
)
)
)

) ) )

)
)
)
)

)
)
)

)
)
)

$$\begin{pmatrix} 1 \\ 0 \\ 0 \\ 0 \end{pmatrix}$$

)
)
)
)

)
)
)
)

)

Case No.: 7:17-CV-00209-D

2. Plaintiffs' use of information obtained by virtue of the Sampling Events (including, but not limited to, the analytical results and data analysis of the Sampling Events), shall be solely for: (i) the litigation of the claims and/or potential future claims in the Actions; (ii) any appeal therefrom; and (iii) in the case of the water authorities, conducting pilot studies for purposes of evaluating treatment technologies with respect to the Cape Fear Public Utility Authority and Brunswick County plaintiffs. Plaintiffs shall not disseminate information obtained pursuant to the Sampling Events for any other purpose, absent leave of Court. In the event Plaintiffs intend to include information obtained from the Sampling Events in any Court proceeding, such information will be submitted under seal pursuant to the Court's local rules or as otherwise directed by the Court.


3. Photography and videography shall be allowed to document the Sampling Events. No videotaping or photography shall be taken of anything other than the recording of the physical process of the personnel collecting and handing the samples to Plaintiffs. Said photography and videography shall only be used for the litigation and shall be deemed "confidential" and shall only be shared with consultants, and experts, absent leave of court. A copy of said photography and videography shall be provided to Defendants. There shall be no interviews or other communications with any Facility employee or other on-site personnel during the Sampling Events.

4. All parties, *i.e.*, both Plaintiffs and Defendants, agree, without undue delay, to exchange the full analytical results and methods from each of their respective laboratories (after standard quality assurance / quality control (QA/QC) practices) for each sample and each analyte. The parties agree to mutually and simultaneously exchange the sampling results for

each of the three separate sampling dates after all parties are in possession of the analytical results from their respective laboratories.

5. Nothing contained in this Protective Order shall waive any arguments and defenses the parties may have as to the admissibility, weight, integrity, and interpretation of the analytical results if offered as evidence in these Actions or any other legal proceeding.

SO ORDERED. This 1 day of June, 2018.

  
JAMES C. DEVER III  
Chief United States District Judge

Dated: June 1, 2018

Respectfully submitted by:

/s/ George W. House  
Joseph A. Ponzi  
N.C. State Bar No. 36999  
George W. House  
N.C. State Bar No. 7426  
William P.H. Cary  
N.C. State Bar No. 7651  
V. Randall Tinsley  
N.C. State Bar No. 14429  
**BROOKS, PIERCE, McLENDON  
HUMPHREY & LEONARD, L.L.P.**  
P.O. Box 26000  
Greensboro, NC 27420-6000  
Phone: (336) 373-8850  
Fax: (336) 232-9114  
[ghouse@brookspierce.com](mailto:ghouse@brookspierce.com)  
[jponzi@brookspierce.com](mailto:jponzi@brookspierce.com)  
[wcary@brookspierce.com](mailto:wcary@brookspierce.com)  
[rtinsley@brookspierce.com](mailto:rtinsley@brookspierce.com)

*Attorneys for Plaintiff Cape Fear  
Public Utility Authority*

/s/ John K. Sherk  
John K. Sherk III  
CA State Bar No. 295838  
**SHOOK, HARDY AND BACON, LLP**  
One Montgomery, Suite 2700  
San Francisco, CA 94104  
Phone: (415) 544-1900  
Fax: (415) 391-0281  
[jsherk@shb.com](mailto:jsherk@shb.com)  
  
Kenneth J. Reilly  
FL State Bar No. 157082  
**SHOOK, HARDY AND BACON, LLP**  
201 S. Biscayne Boulevard  
3200 Miami Center  
Miami, FL 33131  
Phone: (305) 960-6907  
Fax: (305) 385-7470  
[kreilly@shb.com](mailto:kreilly@shb.com)

J. Harold Seagle  
N.C. State Bar No. 8017  
**SEAGLE LAW**  
P.O. Box 15307  
Asheville, NC 28813  
Phone: (828) 774-5711  
[haroldseagle@charter.net](mailto:haroldseagle@charter.net)

Scott Summy  
N.C. State Bar No. 27171  
Cary McDougal (*Pro Hac Vice*)  
TX State Bar No. 13569600  
Stephen Johnston (*Pro Hac Vice*)  
TX State Bar No. 00796839  
M. Cristina Sanchez (*Pro Hac Vice*)  
TX State Bar No. 24041856  
Brett D. Land (*Pro Hac Vice*)  
TX State Bar No. 24092664  
**BARON & BUDD, P.C.**  
3102 Oak Lawn Avenue  
Suite 1100  
Dallas, TX 75219-4281  
Phone: (214) 521-3605  
[ssummy@baronbudd.com](mailto:ssummy@baronbudd.com)

*Attorneys for Plaintiff Brunswick  
County and Cape Fear Public Utility  
Authority*

Theodore J. Leopold  
**COHEN MILSTEIN SELLERS  
& TOLL PLLC**  
2925 PGA Boulevard  
Suite 220  
Palm Beach Gardens, FL 33410  
Phone: (561) 515-1400  
Fax: (561) 515-1401  
[t Leopold@cohenmilstein.com](mailto:t Leopold@cohenmilstein.com)

Mark D. Anstoetter  
MO State Bar No. 47638  
**SHOOK, HARDY AND BACON, LLP**  
2555 Grand Boulevard  
Kansas City, MO 64108  
Phone: (816) 474-6550  
Fax: (816) 421-5547  
[manstoetter@shb.com](mailto:manstoetter@shb.com)

/s/ Stephen D. Feldman  
Jonathan D. Sasser  
N.C. State Bar No. 10028  
Stephen D. Feldman  
N.C. State Bar. No. 34940  
**ELLIS & WINTERS LLP**  
4131 Parklake Avenue  
Suite 400  
Raleigh, NC 27612  
Phone: (919) 865-7005  
Fax: (919) 865-7010  
[Stephen.Feldman@elliswinters.com](mailto:Stephen.Feldman@elliswinters.com)

*Counsel for Defendants*

Jay Chaudhuri  
N.C. Bar No. 27747  
**COHEN MILSTEIN SELLERS  
& TOLL PLLC**  
150 Fayetteville Street  
Suite 980  
Raleigh, NC 27601  
Phone: (919) 890-0560  
Fax: (919) 890-0567  
[jchaudhuri@cohenmilstein.com](mailto:jchaudhuri@cohenmilstein.com)

Andrew Whiteman  
N.C. Bar No. 9523  
**WHITEMAN LAW FIRM**  
5400 Glenwood Avenue  
Suite 225  
Raleigh, NC 27612  
Phone: (919) 571-8300  
Fax: (919) 571-1004  
[aow@whiteman-law.com](mailto:aow@whiteman-law.com)

S. Douglas Bunch  
Douglas J. McNamara  
Jamie Bowers  
Alison Deich  
**COHEN MILSTEIN SELLERS  
& TOLL PLLC**  
1100 New York Avenue, N.W.  
Suite 500  
Washington, D.C. 20005  
Phone: (202) 408-4600  
Fax: (202) 408-4699  
[dbunch@cohenmilstein.com](mailto:dbunch@cohenmilstein.com)  
[dmcnamara@cohenmilstein.com](mailto:dmcnamara@cohenmilstein.com)  
[jbowers@cohenmilstein.com](mailto:jbowers@cohenmilstein.com)  
[adeich@cohenmilstein.com](mailto:adeich@cohenmilstein.com)

Vineet Bhatia  
**SUSMAN GODFREY, L.L.P.**  
1000 Louisiana Street  
Suite 5100  
Houston, TX 77002  
Phone: (713) 651-3666  
Fax: (713) 654-6666  
[vbhatia@susmangodfrey.com](mailto:vbhatia@susmangodfrey.com)

Stephen Morrissey  
Jordan Connors  
Steven Seigel  
**SUSMAN GODFREY, L.L.P.**  
1201 Third Avenue  
Suite 3800  
Seattle, WA 98101  
Phone: (206) 516-3880  
Fax: (206) 516-3883  
[smorrissey@susmangodfrey.com](mailto:smorrissey@susmangodfrey.com)  
[jconnors@susmangodfrey.com](mailto:jconnors@susmangodfrey.com)  
[sseigel@susmangodfrey.com](mailto:sseigel@susmangodfrey.com)

Gary W. Jackson  
N.C. Bar No. 13976  
**THE LAW OFFICES OF  
JAMES SCOTT FARRIN, P.C.**  
280 South Mangum Street  
Suite 400  
Durham, NC 27701  
Phone: (919) 688-4991  
Fax: (800) 716-7881  
[gjackson@farrin.com](mailto:gjackson@farrin.com)

Neal H. Weinfield  
**THE DEDENDUM GROUP**  
1956 Cloverdale Avenue  
Highland Park, IL 60035  
Phone: (312) 613-0800  
Fax: (847) 478-0800  
[nhw@dedendumgroup.com](mailto:nhw@dedendumgroup.com)

*Attorneys for Plaintiffs Carey, Morton, and  
Nix*